IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

MFA.No. 678 of 2001(B)
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OPMV.1899/1995 of MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM
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APPELLANT:
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RAMARAJAN, S/O.N.PAZHANISWAMI CHETTIAR,
AGED 43 YEARS, VANIAMKULAM ANGADIYIL,
VANIAMKULAM POST, OTTAPPALAM TALUK,
PALAKKAD DISTRICT.

BY ADV. SRI.O.P.NANDAKUMAR
SRI.V.A.AJAI KUMAR

RESPONDENTS:
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1. THE MANAGING PARTNER, THAMPI TRANSPORT, SHORANUR, OTTAPALAM TALUK, PALAKKAD DISTRICT.

2. K.VIJAYA MENON, S/O.N.K.K. MENON, AGED 57 YEARS, KALOOR HOUSE, VENGANELLOOR POST, CHELAKKARA, THRISSUR DISTRICT.

3. THE UNITED INDIA INSURANCE COMPANY LIMITED, OTTAPALAM.

BY ADV. SRI.P.JAYASANKAR

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**J.B.KOSHY & K.HEMA,JJ.**

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**M.F.A.NO.678 OF 20O1**
**&**
**C.M.P.NO.5622 OF 2001**
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**Dated this the 11th day of December, 2007**

**JUDGMENT**

**Koshy, J.**

This is a petition to condone the delay of 499 days in filing the appeal. According to the petitioner, the delay occurred due to his ill health. But no medical certificate is produced. Apart from the above, we note that the main injury suffered in the accident was fracture of clavicle. Doctor certified 8% disability. The Tribunal has granted Rs.40,060/- as compensation with interest and cost. Considering the nature of injuries and the total amount awarded, we are of the view that even otherwise just and reasonable compensation was awarded. In any event, no valid reasons are stated for condoning the long delay of 499 days. The delay condonation petition is dismissed. Consequently, the appeal is also dismissed.

**J.B.KOSHY, JUDGE**

**K.HEMA, JUDGE**

vgs.

J.B.KOSHY & K.HEMA, JJ.

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**&**

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**JUDGMENT**

11.12.2007